

Case 0:05-md-01708 DWF-AJB

Document 504

Filed 08/21/2006

Page 1 of 3

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**A CERTIFIED TRUE COPY**

AUG 17 2006

ATTEST *Donovan M. Frank*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DOCKET NO. 1708

C 06-3789.MJJ

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**FILED**

AUG - 1 2006

FILED
CLERK'S OFFICE**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS PRODUCTS LIABILITY
LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-16)**

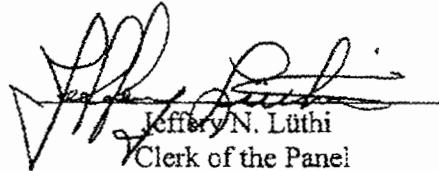
On November 7, 2005, the Panel transferred four civil actions to the United States District Court for the District of Minnesota for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 398 F.Supp.2d 1371 (J.P.M.L. 2005). Since that time, 171 additional actions have been transferred to the District of Minnesota. With the consent of that court, all such actions have been assigned to the Honorable Donovan W. Frank.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Minnesota and assigned to Judge Frank.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Minnesota for the reasons stated in the order of November 7, 2005, and, with the consent of that court, assigned to the Honorable Donovan W. Frank.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Minnesota. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffrey N. Lüthi
Clerk of the Panel

inasmuch as no objection is
pending at this time, the
stay is lifted.

AUG 17 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

NED

AUG 22 2006

MCL

U.S. DISTRICT COURT MPLS

A true copy is made of this record in my capacity
as Clerk of the Court, on 8-22-06
by *Mik Cooley*

**SCHEDULE CTO-16 - TAG-ALONG ACTIONS
DOCKET NO. 1708**

**IN RE GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS PRODUCTS LIABILITY
LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 2 06-525	David Emerson v. Guidant Corp., et al. <i>06-3387</i>
ALABAMA NORTHERN ALN 2 06-1254	Ebbie Myers, etc. v. Guidant Corp., et al. <i>06-3388</i>
CALIFORNIA NORTHERN CAN 3 06-3789 CAN 3 06-3922	Richard A. Harris v. Guidant Corp. <i>06-3389</i> Kenneth B. Ricker v. Guidant Corp. <i>06-3390</i>
FLORIDA MIDDLE FLM 3 06-511	Harriett Patterson, etc. v. Guidant Corp., et al. <i>06-3391</i>
KANSAS KS 6 06-1191	Michele Shannon v. Jesus Val Mejias, M.D., et al. Opposed 8/17/06
KENTUCKY WESTERN KYW 1 06-87 KYW 3 06-287 KYW 4 06-85	James G. Ritter, etc. v. Guidant Corp., et al. <i>06-3392</i> Mary Ann Mudd v. Guidant Corp., et al. <i>06-3393</i> Olen D. Davis v. Guidant Corp., et al. <i>06-3394</i>
LOUISIANA EASTERN LAE 2 06-2991 LAE 2 06-2995 LAE 2 06-3050 LAE 2 06-3051 LAE 2 06-3058	Albertha Shorty v. Guidant Corp., et al. <i>06-3395</i> Elvina D. Carr v. Guidant Corp., et al. <i>06-3396</i> Marie Davis v. Guidant Corp., et al. <i>06-3397</i> John William Rhodes, Jr., et al. v. Guidant Corp., et al. <i>06-3398</i> Clinton Bourgeois, et al. v. Guidant Corp., et al. <i>06-3399</i>
LOUISIANA MIDDLE LAM 3 06-413 LAM 3 06-419 LAM 3 06-463	Joseph D. Truxillo, Sr. v. Guidant Corp., et al. <i>06-3400</i> Betty Ann Davis v. Guidant Corp. <i>06-3401</i> Clara Norman, et al. v. Merck & Co., Inc., et al. <i>06-3402</i>
LOUISIANA WESTERN LAW 1 06-986 LAW 1 06-988 LAW 1 06-990 LAW 1 06-991 LAW 2 06-989 LAW 3 06-981 LAW 5 06-976 LAW 5 06-977 LAW 5 06-978 LAW 6 06-993 LAW 6 06-994 LAW 6 06-995 LAW 6 06-1009	Nadine Linn v. Guidant Corp., et al. <i>06-3403</i> Rose Bialy, etc. v. Guidant Corp., et al. <i>06-3404</i> Cecilia James, et al. v. Guidant Corp., et al. <i>06-3405</i> Kawanda Edwards, et al. v. Guidant Corp., et al. <i>06-3406</i> Shirley Smith, et al. v. Guidant Corp., et al. <i>06-3407</i> Wilma Young v. Guidant Corp., et al. <i>06-3408</i> Mary Meitz Randinelli, et al. v. Guidant Corp., et al. <i>06-3409</i> William Lund, et al. v. Guidant Corp., et al. <i>06-3410</i> Karen Walker, etc. v. Guidant Corp., et al. <i>06-3411</i> William Ortego, et al. v. Guidant Corp., et al. <i>06-3412</i> Debra Robert, etc. v. Guidant Corp., et al. <i>06-3413</i> Thelma Irvin v. Guidant Corp., et al. <i>06-3414</i> Yuber S. Bullock v. Guidant Corp. <i>06-3415</i>

Case 0:05-md-01708-DWF-AJB Document 504 Filed 08/21/2006 Page 3 of 3

SCHEDULE CTO-16 TAG-ALONG ACTIONS (MDL-1708)

Page 2 of 2

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
MAINE ME 1 06-70	Donna Caron v. Guidant Corp. 06-3416
OHIO NORTHERN OHN 1 06-1582	Cardienne Morris, et al. v. Guidant Corp., et al. 06-3417
PENNSYLVANIA EASTERN PAE 2 06-2489	Karen M. Sedler, etc. v. Boston Scientific Corp., et al. 06-3418
PENNSYLVANIA MIDDLE PAM 1 06-1212	Donald Wilhelm, etc. v. Boston Scientific Corp., et al. 06-3419
TENNESSEE WESTERN TNW 2 06-2384	Nancy Doss v. Guidant Corp., et al. 06-3420
TEXAS EASTERN TXE 2 06-232 TXE 4 06-249	Thomas Dunn, et al. v. Guidant Corp., et al. 06-3421 Adriana Araya, et al. v. Cardiac Pacemakers, Inc. 06-3422
TEXAS NORTHERN TXN 3 06-985 TXN 3 06-1080	Mary Ballard v. Guidant Corp., et al. 06-3423 Maria Hernandez, etc. v. Guidant Corp., et al. 06-3424
TEXAS SOUTHERN TXS 4 06-2143 TXS 4 06-2144	Gloria Smith v. Guidant Corp., et al. 06-3425 J.C. Bowie v. Guidant Corp., et al. 06-3426
UTAH UT 2 06-446	Jeffrey Hunt, et al. v. Guidant Corp., et al. 06-3427

United States District Court

District of Minnesota

Office Of The Clerk
300 S. Fourth St., Room 202
Minneapolis, MN 55415

RICHARD D SLETTEN, CLERK
(612) 664-5000

RECEIVED

August 22, 2006

AUG 30 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Mr. Richard W. Wiking, Clerk
United States District Court
Phillip Burton United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102-3434

In re: MDL-1708 -- In re Guidant Corp. Implantable Defibrillators Products Liability Litigation
YOUR CASE NUMBER: C.A. No. 3 06-3789 Harris v. Guidant
DISTRICT OF MINNESOTA CASE NUMBER: 06-3389 DWF/AJB

Dear Mr. Wiking:

A conditional transfer order of the Judicial Panel on Multidistrict Litigation under 28 U.S.C. §1407 was received and filed in this district on August 21, 2006. Enclosed is a certified copy of that order directing the transfer of your civil case to the District of Minnesota. The cases are assigned to Judge Donovan W. Frank and Magistrate Judge Arthur J. Boylan for coordinated or consolidated pretrial proceedings. Please reference the case number assigned in this court on all correspondence or communications.

Please forward a certified copy of the docket sheet for the case listed above together with a received stamped copy of this letter to: Clerk, U. S. District Court, 300 S. Fourth Street, Room 202, Minneapolis, MN 55415. Communications regarding these actions should be directed to Ms. Mary Kaye Conery or Ms. Lou Jean Gleason at (612) 664-5000. Should you have any questions please do not hesitate to call.

Very truly yours,

RICHARD D. SLETTEN, CLERK

Mary Kaye Conery
Mary Kaye Conery, Civil Docket Supervisor

Enclosure

cc: Judge Donovan W. Frank
Judicial Panel on Multidistrict Litigation